

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. 102(e) as being anticipated by Pashupathy et al. (U.S. Pat. No. 6,574,660). The Examiner has cited Pashupathy for allegedly teaching a method of updating data on a web page of a user on a real time basis, without requiring refreshment of the web page, comprising the steps of accepting a data request from the user and supplying the data request web the user visits a web site, and for accepting updates therefrom and distributing to a client application from a site that is more relevant to the user interests, needs and usage.

The Examiner is thanked for graciously extending the undersigned the opportunity on May 18, 2004 to articulate the nature of the present invention and to detail the differences therein over the cited art. In light of discussions with the Examiner, and in order to more fully describe the present invention, the Examiner will notice that claims 1 and 3 have been amended so as to highlight the ability to of the invention to update data without any refreshment of user web pages. Support for this aspect of the invention may be found on page 5, third paragraph of the specification. As expressed to the Examiner, this ability is achieved by receiving formatted HTTP Data through a standard HTTP port in order to update data, rather than necessarily opening a new TCP/IP connection using other technologies (Java, ActiveX etc.) or the equivalent to refresh a page, none of which is taught or suggested in any prior art

By way of further response, the applicant wishes to respectfully posit that the Pashupathy patent cited simply does not teach the present invention for at least several of the following reasons. First, it is respectfully submitted that the present invention is simply not directed to the asserted method of "continually updating dynamic data on a web page of a user on a real time

basis without requiring refreshment of the web page, comprising the steps of accepting a data request from the user and supplying the data request web the user visits a web site, accepting updates, and distributing from a site that is more relevant to the user interests, needs and usage". Succinctly put, the present invention does not relate whatsoever to an application that concerns web pages or different user interests, nor does the present invention focus on user-placed requests for different types of information. Pashupathy is merely focused on the provision of content (e.g., which type of content should be delivered), and as such, it is merely concerned with how the user finds content that may interest him. To this end, Pashupathy only teaches an approach that does *not* involve content piped through to a user, but rather *personalized* profile-based information requested the user via traditional methods.

Second, the undersigned maintains that the Pashupathy patent actually teaches *away* from the present invention by requiring the use of a user profile for filtering interest, and by requiring the use of Java and other related technology or agents for "pushing" data to the user, based on his interests. This is in direct contrast to the present invention, which addresses the need for an internet-based data feed, in lieu of having to provide separate (e.g., non-internet, dedicated online data feed) lines. The inventive online data feed - unlike the *ad hoc* user profile web interests generated over time in Pashupathy - is a persistent stream of data that is not necessarily predicated on different session requests, or on the use of intelligent agents, but rather provides a constant feed of predetermined information, through a HTTP portal, *without* requiring the use of Java or other so-called "push" enablers required by Pashupathy. Succinctly put, the present invention is not necessarily focused on the content, like the Pashupathy patent, which is definitively and exclusively centered on the idea of content itself.

Accordingly, it is respectfully maintained that the present invention is clearly distinguishable over the Pashupathy teachings, and as such, reconsideration and withdrawal of the rejection, as well as a Notice of Allowance are respectfully requested.

Should the Examiner deem that there are any issues that may be best resolved by telephone communication, he is respectfully requested to telephone Applicants' undersigned Attorney at the number listed below.

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Date: May 24, 2004

Respectfully submitted,



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